

UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA

TANYA R. SPALLIERO,	)	NO. ED CV 08-834-RGK(E)
	)	
Plaintiff,	)	
	)	ORDER TO SHOW CAUSE RE
v.	)	
	)	DISMISSAL FOR FAILURE TO
MICHAEL J. ASTRUE, COMMISSIONER	)	
OF SOCIAL SECURITY ADMINISTRATION,	)	PROSECUTE
	)	
	)	
Defendant.	)	
_____	)	

By Order filed June 26, 2008, the Court directed Plaintiff to file a proof of service of the Summons and Complaint within thirty (30) days of the date of that Order. As of the present date, no such proof of service has been filed.

IT IS ORDERED that Plaintiff shall appear before Judge Charles F. Eick at 9:30 a.m., on October 10, 2008, and then and there shall show cause, if there be any, why this action should not be dismissed for violation of this Court's previous Order and for Plaintiff's failure to prosecute this action. See Link v. Wabash R.R., 370 U.S. 626, 629-30 (1952).

1 If proof of service of the Summons and Complaint is filed with  
2 the Clerk and a copy delivered to the Chambers of the Magistrate Judge  
3 before the hearing date, the Order to Show Cause Re Dismissal will be  
4 taken off calendar and Plaintiff need not appear.

5  
6 If no proof of service is filed and submitted prior to the  
7 hearing, and if Plaintiff objects to dismissal of the action,  
8 Plaintiff shall file a written objection to the dismissal, with points  
9 and authorities, not later than ten (10) days prior to the hearing.  
10 (Failure to file such objection within the time specified or failure  
11 to appear at the hearing will be deemed a consent to the dismissal of  
12 the action as proposed herein).

13  
14 If Plaintiff does not object to the proposed dismissal, Plaintiff  
15 shall so inform the Clerk in writing and Plaintiff's appearance at the  
16 hearing will be excused.

17  
18 IT IS FURTHER ORDERED that the Clerk shall serve forthwith a copy  
19 of this Order by United States mail on counsel for Plaintiff.

20  
21 DATED: September 11, 2008.

22  
23 \_\_\_\_\_/S/\_\_\_\_\_  
24 CHARLES F. EICK  
25 UNITED STATES MAGISTRATE JUDGE  
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